

INTERNATIONAL SEARCH REPORT

International Patent No. **03/537199**
PCT/EP 03/13682

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A23L1/0534 C08B11/12 A23L1/212 A23L2/02

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A23L C08B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BIOSIS, FSTA

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X,P	WO 03 003850 A (PROCTER & GAMBLE) 16 January 2003 (2003-01-16) page 2, paragraphs 4,5 page 3, paragraph 1 page 11, paragraphs 1-3 page 30, paragraphs 3-5 examples 1,2	1-3, 7-9
X	US 3 418 133 A (NIJHOFF GERARD J J) 24 December 1968 (1968-12-24) column 1, line 25,26,46-52,60-70 column 2, line 55-60 examples 5,6 claim 1	1-7

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

8 March 2004

Date of mailing of the international search report

18/03/2004

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 397 588 A (ANTENUCCI ROBERT N ET AL) 14 March 1995 (1995-03-14) column 3, line 11-21, 29-32, 51, 52, 65-68 column 4, line 1-14, 40, 41 column 5, line 6-27 examples 1-3 column 9, line 11 -column 10, line 55 table 2	1-3, 5, 7-9
X	GB 1 485 112 A (MERCK & CO INC) 8 September 1977 (1977-09-08) page 2, column 1-2; examples 1-3, 5	1-3, 5, 7-9
X	US 3 947 604 A (MCGINLEY EMANUAL J ET AL) 30 March 1976 (1976-03-30) column 1, line 5-7, 43-61 column 3, line 13 column 4, line 32-34, 46-51 column 5, line 49, 50, 60-62, 68 column 6, line 38-56	1-3, 5-8
X	GB 879 325 A (GEN FOODS CORP) 11 October 1961 (1961-10-11) page 1, line 68, 69 page 3, line 33-35 page 4, line 2-27	1-3, 7, 9
X	US 6 399 134 B1 (RENATI RONALD P ET AL) 4 June 2002 (2002-06-04) column 1, line 5-9 column 4, line 44, 45 column 5, line 65-67 column 6, line 5-15 example 1	1, 2, 5, 6, 8
X	PATENT ABSTRACTS OF JAPAN & JP 08 038076 A (DAI ICHI KOGYO SEIYAKU CO LTD), 13 February 1996 (1996-02-13) cited in the application abstract	1-3, 5, 7, 9
A	DE 197 46 264 A (WOLFF WALSRÖDE AG) 29 April 1999 (1999-04-29) page 2, line 53 -page 3, line 7	1-9
T	SIKKEMA D J ET AL: "CARBOXYMETHYLCELLULOSE WITH XANTHAN GUM LIKE RHEOLOGY" MACROMOLECULES, AMERICAN CHEMICAL SOCIETY. EASTON, US, vol. 22, 1989, pages 364-366, XP002116799 ISSN: 0024-9297 cited in the application	1-9

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Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☒ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Present claims relate to the use of a carboxymethyl cellulose which is defined by reference to the following parameters:

P1: formation of a gel having certain modulus properties when dissolved under certain conditions in a 0.3% sodium chloride solution (as in claim 1),

P2: certain Brookfield viscosity values after dissolution under certain conditions when dissolved in a 0.3% sodium chloride solution (as in claim 2)

The use of these parameters in the present context is considered to lead to a lack of clarity within the meaning of Article 6 PCT. It is impossible to compare the parameters the applicant has chosen to employ with what is set out in the prior art. The lack of clarity is such as to render a meaningful complete search impossible. Consequently, the search has been restricted to the use of carboxymethyl cellulose in the preparation of fruit-based products, taking into account the additional technical features of claims 3-9, but not those of claims 1-2.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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Information on patent family members

International Application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 03003850	A	16-01-2003	WO 03003850 A1 US 2003035880 A1	16-01-2003 20-02-2003
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US 5397588	A	14-03-1995	US 5270071 A AT 193423 T AU 679110 B2 AU 7584094 A BR 9404173 A CA 2130842 A1 DE 69424738 D1 DE 69424738 T2 DK 649601 T3 EP 0649601 A2 ES 2149845 T3 GR 3034143 T3 JP 7184570 A NZ 264668 A PT 649601 T AT 152884 T CA 2098673 A1 DE 69310613 D1 DE 69310613 T2 DK 575179 T3 EP 0575179 A2 ES 2104062 T3 GR 93100242 A , B NZ 247788 A	14-12-1993 15-06-2000 19-06-1997 11-05-1995 27-06-1995 22-04-1995 06-07-2000 16-11-2000 07-08-2000 26-04-1995 16-11-2000 30-11-2000 25-07-1995 24-03-1997 29-09-2000 15-05-1997 19-12-1993 19-06-1997 18-09-1997 20-10-1997 22-12-1993 01-10-1997 28-02-1994 25-11-1994
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Information on patent family members

International Application No

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Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 19746264	A	JP 2001520281 T US 6593468 B1	30-10-2001 15-07-2003